

#3

PATENT
FRE-P-01**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : A METHOD FOR ANALYSIS OF
: BIOLOGICAL SYSTEMS
David Smith and Roger Smith :
: Group Art Unit:
Serial No: 09/744,291 :
:
Filed: January 22, 2001 : Examiner:

LETTER

Box PCT
Commissioner for Patents
Washington, DC 20231

Sir:

In Response to the **Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)**, mailed March 26, 2001, enclosed herewith are the following:

1. An executed **DECLARATION AND POWER OF ATTORNEY**, signed by the inventors. (3 Pages)
2. A copy of **Form PCT/DO/EO/905**.
3. The **Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)**, raises a question about the total number of claims and an additional claim fee of \$54.00 being due. The claims as presented in the Article 34 Amendments have been reviewed. The following claim count is believed to be accurate:

Claim No.	Dependence	Clim Count	Cumulative No. of Claims
1	Ind.	1	1
2	Dep. 1	1	2
3	Dep. 1 or 2	2	4
4	Dep. 2	1	5

5	Dep. 2 or 4	2	7
6*	Dep any prec. Claim	1	8
7	Ind.	1	9
8	Ind.	1	10
9	Dep. 8	1	11
10	Dep. 8 or 9	2	13
11	Dep. 9	1	14
12	Dep. 9 or 11	2	16
13*	Dep. 8 - 12	1	17
14	Ind.	1	18
15	Ind.	1	19
16	Dep. 15	1	20
17	Dep. 15 or 16	2	22
18	Dep. 16	1	23
19	Dep. 16 or 18	2	25
20*	Dep. 15 to 19	1	26
21	Ind.	1	27

Claims 6, 13, and 20 are considered improper, wherein they are multiply dependent claims which depend from other multiply dependent claims which is not permitted in U.S. Practice, and each is therefor counted as a single claim. Thus, the claim count for payment of fees is believed to be as follows;

Independent claims $6 - 3 = 3 \times \$40.00 = \120.00

Dependent claims $27 - 20 = 7 \times \$9 = \underline{\$63.00}$

$\$183.00$

Wherein the claim fee paid with the application was \$163.00, it is believed that an additional \$20.00 is due. Please charge that amount, plus the fee of \$65.00 under 37 CFR 1.492(g) for submitting the Oath or Declaration after twenty or thirty months from the priority date, that is a total of \$85.00 to our Deposit Account No. 07-0555. A duplicate copy of this letter is enclosed for billing purposes.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 07-0555:

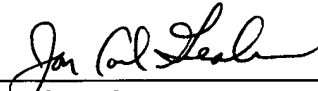
Any patent application processing fees under 37 C.F.R. §1.17.

Any additional filing fees under 37 C.F.R. §1.492.

4. Also, please find enclosed an **INFORMATION DISCLOSURE STATEMENT SUBMITTED UNDER 37 C.F.R. § 1.97(b)**, and copies of the documents cited therein.

5. Post Card Receipt.

Respectfully submitted,



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April 2, 2001

FRE-P-01.RMP

Adjustment date: 04/10/2001 LLANDGRA
01/25/2001 UEDUVIJE 00000014 070555 09744291
~~02 FC:967 9.00 CR~~
~~04 FC:965 160.00 CR~~

04/10/2001 LLANDGRA 00000014 070555 09744291

01 FC:965	120.00 CH
02 FC:967	63.00 CH
03 FC:254	65.00 CH